



09-11-02

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CONTINUED PROSECUTION APPLICATION (CPA) UNDER 37 CFR.1.53(d) REQUEST TRANSMITTAL

DOCKET NO.: 980689/HG
APPLICANT(S): Shinichi KURAKATA et al.
SERIAL NO.: 09/212,556
FILED: December 16, 1998
EXAMINER: Howard Owens, Jr.
ART UNIT: 1623

Express Mail Mailing Label
No.: EV 142 051 638 US
Date of Deposit: September 10, 2002

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Laraine Dobies
Laraine Dobies

Commissioner for Patents
Washington, D.C. 20231

Box CPA

This is a Request for filing a [X] continuation [] divisional under 37 CFR 1.53(d) of prior application Serial No. 09/212,556, filed on December 16, 1998

entitled METHODS AND COMPOSITIONS FOR THE TREATMENT AND PREVENTION OF TUMORS. TUMOR-RELATED DISORDERS AND CACHEXIA

by the following named inventors:

<u>Inventor</u>	<u>Citizenship</u>	<u>Residence & Post Office Address</u>
Shinichi KURAKATA	Japan	Yokohama-shi, Japan
Masaharu HANI	Japan	Tokyo, Japan
Saori KANAI	Japan	Sakura-shi, Japan
Tomio KIMURA	Japan	Tokyo, Japan

ASSIGNMENT INFORMATION FOR PUBLICATION

SANKYO COMPANY, LIMITED
5-1, Nihonbashi Honcho 3-chome
Chuo-ku, Tokyo 103-8426 Japan

1. [X] Enter the amendment previously filed on February 22, 2002 under 37 CFR 1.116, but unentered in the prior application.
2. [X] An Amendment is enclosed.

Filing fee calculated on basis of claims existing in prior application as amended at 1 and 2 above.

For	Number Filed	Number Extra	Rate	Calculations
Total Claims	<u>10</u> -20	<u>0</u>	x \$18.00	--
Independent Claims	<u>2</u> -3	<u>0</u>	x \$84.00	--
MULTIPLE DEPENDENT CLAIMS			+ \$280.00	--
09/12/2002 NBERHE 00000161 09212556			BASIC FEE	\$ <u>740.00</u>
01 FC:131 740.00 OP			Total of above Calculations	\$ <u>740.00</u>

3. [X] The Commissioner is hereby authorized to charge fees under 37 CFR 1.16 and 1.17 which may be required, or credit any overpayment to Deposit Account No. 06-1378.

4. ☒ A check in the amount of \$ 740.00 is enclosed.
5. ☐ This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
- a. ☐ DELETE the following inventor(s) named in the prior nonprovisional application:
- b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
6. ☐ Small entity status is claimed. A verified Statement Claiming Small Entity Status is:
☐ enclosed ☐ was filed in the prior application and status is still proper and desired.
7. ☒ Priority of following Application(s) is claimed under 35 USC 119:

<u>Country</u>	<u>Serial No.</u>	<u>Filed</u>
Japan	Hei 9-354499	December 24, 1997
Japan	Hei 10-015306	January 28, 1998
Japan	Hei 10-204907	July 21, 1998
Japan	Hei 10-269444	September 24, 1998

8. ☒ Prior application assigned to: SANKYO COMPANY, LIMITED, Tokyo, Japan

(Recorded December 16, 1998 in SN 09/212,5656 REEL/FRAME: 9654/0324)

9. ☒ The Power of Attorney in the prior application includes the following:

LEONARD HOLTZ, Reg. No. 22,974;
MARSHALL J. CHICK, Reg. No. 26,853
DOUGLAS HOLTZ, Reg. No. 33,902

HERBERT GOODMAN, Reg. No. 17,081
RICHARD S. BARTH, Reg. No. 28,180
ROBERT P. MICHAL, Reg. No. 35,614

10. ☒ Also enclosed:

☐ Information Disclosure Statement

☒ Petition for Extension of Time for one month and check for \$110.00

☐ _____

Address all future communications to:

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The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, information concerning, the prior application.